

1-1 By: Wentworth S.B. No. 1317
1-2 (In the Senate - Filed March 4, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; April 1, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 April 1, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1317 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to education and examination requirements for the issuance
1-11 of a driver's license to certain persons.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (d), Section 521.142, Transportation
1-14 Code, is amended to read as follows:

1-15 (d) If the applicant is under 25 years of age, the
1-16 application must state whether the applicant has completed a driver
1-17 education course required by Section 521.1601 ~~[approved by the~~
1-18 ~~department]~~.

1-19 SECTION 2. The heading to Subchapter H, Chapter 521,
1-20 Transportation Code, is amended to read as follows:

1-21 SUBCHAPTER H. EDUCATION AND EXAMINATION REQUIREMENTS

1-22 SECTION 3. Subchapter H, Chapter 521, Transportation Code,
1-23 is amended by adding Sections 521.1601 and 521.167 to read as
1-24 follows:

1-25 Sec. 521.1601. DRIVER EDUCATION REQUIRED. The department
1-26 may not issue a driver's license to a person who is younger than 25
1-27 years of age unless the person submits to the department a driver
1-28 education certificate issued under Chapter 1001, Education Code,
1-29 that states that the person has completed and passed:

1-30 (1) a driver education and traffic safety course
1-31 approved by the Texas Education Agency under Section 29.902,
1-32 Education Code, or a driver education course approved by that
1-33 agency under Section 1001.101(a)(1) of that code or approved by the
1-34 department under Section 521.205; or

1-35 (2) if the person is 18 years of age or older, a driver
1-36 education course approved by the Texas Education Agency under
1-37 Section 1001.101(a)(1) or (2), Education Code.

1-38 Sec. 521.167. WAIVER OF CERTAIN EDUCATION AND EXAMINATION
1-39 REQUIREMENTS. A person who has completed and passed a driver
1-40 education course approved by the Texas Education Agency under
1-41 Section 1001.101(a)(2), Education Code, is not required to take the
1-42 highway sign and traffic law parts of the examination required
1-43 under Section 521.161 if those parts have been successfully
1-44 completed as determined by a licensed driver education instructor.

1-45 SECTION 4. Section 1001.004, Education Code, is amended to
1-46 read as follows:

1-47 Sec. 1001.004. COST OF ADMINISTERING CHAPTER. (a) Except
1-48 as provided by Subsection (b), the [The] cost of administering this
1-49 chapter shall be included in the state budget allowance for the
1-50 agency.

1-51 (b) The commissioner may charge a fee to each driver
1-52 education school in an amount not to exceed the actual expense
1-53 incurred in the regulation of driver education courses established
1-54 under Section 1001.101(a)(2).

1-55 SECTION 5. Subsection (a), Section 1001.055, Education
1-56 Code, is amended to read as follows:

1-57 (a) The agency shall print and supply to each licensed or
1-58 exempt driver education school driver education certificates to be
1-59 used for certifying completion of an approved driver education
1-60 course to satisfy the requirements of Sections ~~[Section]~~
1-61 521.204(a)(2) and 521.1601, Transportation Code. The certificates
1-62 must be numbered serially.

1-63 SECTION 6. Section 1001.101, Education Code, is amended to

2-1 read as follows:

2-2 Sec. 1001.101. DRIVER EDUCATION COURSE CURRICULUM AND
 2-3 EDUCATIONAL MATERIALS [TEXTBOOKS]. (a) The commissioner by rule
 2-4 shall establish the curriculum and designate the educational
 2-5 materials [~~textbooks~~] to be used in:

2-6 (1) a driver education course for minors and adults;
 2-7 and

2-8 (2) a driver education course exclusively for adults.

2-9 (b) A driver education course under Subsection (a)(2) must:

2-10 (1) be a six-hour course; and

2-11 (2) include instruction in:

2-12 (A) alcohol and drug awareness;

2-13 (B) the traffic laws of this state;

2-14 (C) highway signs, signals, and markings that
 2-15 regulate, warn, or direct traffic; and

2-16 (D) the issues commonly associated with motor
 2-17 vehicle accidents, including poor decision-making, risk taking,
 2-18 impaired driving, distraction, speed, failure to use a safety belt,
 2-19 driving at night, failure to yield the right-of-way, and using a
 2-20 wireless communication device while operating a vehicle.

2-21 (c) A course approved under Subsection (a)(2) may be offered
 2-22 as an online course.

2-23 (d) A driving safety course or a drug and alcohol driving
 2-24 awareness program may not be approved as a driver education course
 2-25 under Subsection (a)(2).

2-26 SECTION 7. The changes in law made by this Act apply to an
 2-27 application for the issuance of a driver's license filed on or after
 2-28 the effective date of this Act. An application for the issuance of
 2-29 a driver's license filed before the effective date of this Act is
 2-30 governed by the law in effect on the date of the filing, and that law
 2-31 is continued in effect for that purpose.

2-32 SECTION 8. This Act takes effect March 1, 2010.

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